

IN THE UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF MISSISSIPPI  
OXFORD DIVISION

ROBERT K. HILL, DONALD BLYTHER,  
SANDY BLYTHER, KEITH CLARK, SAMUEL  
COPELAND, B.T. ERVE, PERCY EVANS, GEORGE  
FLAKES, SCOTT GOOLSBY, SHEILA KELLY,  
PAUL LEONARD, FRED SMITH, DEWAYNE TOLLIER,  
ULYSSES WILEY, and WARFLOYD WINTERS,  
Individually and on behalf of themselves, and  
on Behalf of a Class of Persons Similarly Situated

PLAINTIFFS

V.

CAUSE NO.: 3:14CV213-SA-SAA

HILL BROTHERS CONSTRUCTION COMPANY, INC.,  
HBC BOARD OF DIRECTORS, KENNETH W. HILL,  
KENNETH W. HILL, JR., GERALD C. HILL, JIMMY HILL,  
JOHN F. HILL, JR., STERLING AKER, DANNY MCALISTER,  
CLYDE R. ROBERTSON, DONALD BATES, JANE H. CHILDS,  
BETH LOCKHART, MARK ROBERTSON, DOUG HORTON,  
DAVID HORTON, and THE HILL BROTHERS CONSTRUCTION  
COMPANY, INC. EMPLOYEE STOCK OWNERSHIP AND 401(K)  
PLAN AND TRUST PLAN ADMINISTRATIVE COMMITTEE

DEFENDANTS

ORDER ON MOTIONS

The Court received correspondence that the parties to this case have been able to successfully mediate the claims outstanding. In particular, the parties have been able to reach an agreement as to the potential class certified. Thus, the pending Motion for Class Certification [140] and Motion to Withdraw Class Certification [146] are hereby administratively terminated without prejudice.

If the settlement is not effectuated or not approved by the Court at the appropriate time, the Court retains jurisdiction over these matters to reopen the motions if needed.

SO ORDERED, this the 19th day of August, 2016.

/s/ Sharion Aycock  
U.S. DISTRICT JUDGE